

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Casey McCann	Team: Squad #4	CCRB Case #: 201804624	<input checked="" type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Sunday, 06/10/2018 4:30 PM	Location of Incident: Southeast corner of West 49th Street and 6th Avenue	Precinct: 18	18 Mo. SOL 12/10/2019	EO SOL 12/10/2019	
Date/Time CV Reported Sun, 06/10/2018 9:50 PM	CV Reported At: CCRB	How CV Reported: On-line website	Date/Time Received at CCRB Sun, 06/10/2018 9:50 PM		

Complainant/Victim	Type	Home Address

Witness(es)	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Brendan Coughlin	05537	945621	006 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. LT Robert Murray	00000	910670	C E D
2. POF Annalee Simon	24898	953407	006 PCT
3. SGT Kai Bowen	00595	945471	006 PCT
4. POM Joseph Vincent	23708	946375	006 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Brendan Coughlin	Force: Police Officer Brendan Coughlin used physical force against § 87(2)(b) [REDACTED]	

Case Summary

On June 10, 2018, § 87(2)(b) filed this complaint with the CCRB online.

On June 10, 2018, at approximately 4:30 p.m., on the southeast corner of West 49th Street and 6th Avenue in Manhattan, Police Officer Brendan Coughlin of the 6th Precinct pushed

§ 87(2)(b) (**Allegation A: Force,** § 87(2)(g)).

This case did not result in an arrest or a summons.

Attempts to obtain video footage of this incident yielded negative results (BR 09).

Findings and Recommendations

Allegation (A) Force: Police Officer Brendan Coughlin used physical force against § 87(2)(b)

§ 87(2)(b) (BR 01) is an § 87(2)(b) and generally enters her workplace at the 49th Street entrance between 5th Avenue and 6th Avenue. On June 10, 2018, § 87(2)(b) noticed several officers setting up police barricades near West 49th Street and 6th Avenue because of the Tony Awards. There simultaneously appeared to be a street parade.

When § 87(2)(b) arrived at the southwest corner of West 49th Street and 6th Avenue, an officer told her to go across the street, as she would not be able to walk through the barricades. § 87(2)(b) walked toward the southeast corner of West 49th Street and 6th Avenue. A female officer, identified by the investigation as Police Officer Annalee Simon of the 6th Precinct, stopped § 87(2)(b) outside of the barricaded area near a LOFT store, and told her she would not be able to pass through. § 87(2)(b) explained that she was trying to get to work and showed PO Simon her work identification. § 87(2)(b) told PO Simon that an officer at the southwest corner directed her toward this corner, but PO Simon insisted that § 87(2)(b) could not pass through.

§ 87(2)(b) requested to speak to PO Simon's supervisor, who she believed was standing behind PO Simon. PO Simon looked up and nodded her head. Immediately after, § 87(2)(b) felt a hand on her back pushing her toward the curb of the southeast corner. § 87(2)(b) turned her head and saw the officer pushing her, who she described as a white male with dark hair, dark-colored eyes, 6'2" tall, in his 40s, with muscular build, and in uniform, and who she later identified as PO Coughlin. § 87(2)(b) said, "Get your hands off me." PO Coughlin kept his left hand on the upper-middle area of § 87(2)(b) back and pushed § 87(2)(b) toward the curb a second time, causing her to almost trip. § 87(2)(b) did not fall or sustain any injuries from the push. PO Coughlin did not say anything to § 87(2)(b).

Lieutenant Robert Murray of the 1st Precinct, who was standing in the area, then spoke to § 87(2)(b) about the incident and walked her to her office.

§ 87(2)(b) later returned to the northeast corner of West 49th Street and 6th Avenue with § 87(2)(b) the § 87(2)(g). From the sidewalk, § 87(2)(b) pointed out PO Coughlin, who was standing in the street, to § 87(2)(b) as the officer who pushed her. § 87(2)(b) stepped into the street and returned with PO Coughlin's name and shield number, which he gave to § 87(2)(b). § 87(2)(b) did not observe any conversation between § 87(2)(b) and PO Coughlin. § 87(2)(b) further spoke to Lt. Murray and Sergeant Kia Bowen of the 6th Precinct about the incident.

PO Coughlin (BR 02) said he was working a footpost at West 49th Street and 6th Avenue in front of a LOFT store for the Tony Awards with three other officers from his command, PO Simon, Police Officer Joseph Vincent, and Sgt. Bowen. West 49th Street and 6th Avenue was a

“frozen zone,” in which civilians were not allowed to pass through regardless of whether they work in the area and have work identification.

PO Coughlin denied having any interaction with § 87(2)(b) and denied pushing her or using any physical force against her. PO Coughlin only became aware of § 87(2)(b) when Sgt. Bowen told him that § 87(2)(b) alleged that an officer pushed her, and that she identified PO Coughlin as the officer that pushed her. PO Coughlin told Sgt. Bowen he did not push § 87(2)(b). PO Coughlin did not hear any conversation § 87(2)(b) had with Sgt. Bowen. PO Coughlin did not speak with § 87(2)(b) or any other § 87(2)(b) during the incident.

PO Coughlin is a white male, 6’1” tall, 210 pounds, with brown hair and blue eyes (BR 08), which generally matches the description § 87(2)(b) provided.

PO Simon (BR 03) denied ever seeing § 87(2)(b) and did not see any officer, including PO Coughlin, push § 87(2)(b).

Lt. Murray (BR 07) said he heard § 87(2)(b) behind him loudly say, “I have to get to work.” When Lt. Murray turned around, he saw § 87(2)(b) and a uniformed, male police officer, who he could not further describe or identify. The male officer had his right arm extended so that § 87(2)(b) could not walk through the area and his left arm pointing in the direction of West 48th Street. Lt. Murray did not see the officer’s arm make bodily contact with § 87(2)(b) and he did not hear the officer say anything.

§ 87(2)(b) then waved Lt. Murray over. When Lt. Murray approached, the male officer walked away. § 87(2)(b) told Lt. Murray that the officer prevented her from going to work and pushed her. Lt. Murray did not see any officer push § 87(2)(b) or use any physical force against her. Lt. Murray explained to § 87(2)(b) that the area was a “frozen zone” and therefore she had to use the entrance on 48th Street. As § 87(2)(b) grew more upset and began to cry, Lt. Murray asked for § 87(2)(b) work identification, and once he saw it, he escorted § 87(2)(b) through the “frozen zone” to the entrance to § 87(2)(b).

Because § 87(2)(b) identified PO Coughlin by name, and because PO Coughlin generally matches the description provided, the investigation has identified him as a subject officer. However, because of the way § 87(2)(b) identified PO Coughlin, and because there were numerous officers performing a special detail at the scene, there is a possibility that PO Coughlin was misidentified; § 87(2)(b) may not have understood which officer § 87(2)(b) was pointing at. Since § 87(2)(b) was pushed from behind, it is also possible that she was mistaken about which officer pushed her.

Furthermore, the only known witnesses to this incident were police officers, Lt. Murray and PO Simon, who both denied seeing the alleged push.

§ 87(2)(g)
§ 87(2)(g)
§ 87(2)(g)

Civilian and Officer CCRB Histories

- This is the first complaint to which § 87(2)(b) has been a party (BR 04).
- PO Coughlin has been a member of service for ten years and has been subject in two prior CCRB complaints and four allegations, none of which was substantiated. § 87(2)(g)

§ 87(2)(g)
§ 87(2)(g)

Mediation, Civil and Criminal Histories

- § 87(2)(b) declined to mediate this complaint.
- As of July 6, 2018, the New York City Office of the Comptroller has no record of a Notice of Claim being filed in regard this to complaint (BR 05).
- § 87(2)(b), § 87(2)(c) (impair contract awards or CBAs)

Squad No.: _____

Investigator: _____

Signature	Print Title & Name	Date
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Squad Leader: _____

Signature	Print Title & Name	Date
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Reviewer: _____

Signature	Print Title & Name	Date
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